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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,912	01/11/2002	Noriyuki Kasahara	06666-125001 / USC2862	7224

7590 02/25/2004

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EXAMINER

GUZO, DAVID

ART UNIT

PAPER NUMBER

1636

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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DATE MAILED:

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Commissioner for Patents

— SEE ATTACHMENT —

Attachment

The reply filed on 12/11/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The Substitute Sequence Listing appears to be improper. Applicants have apparently combined the 6 (six) separate nucleotide sequences depicted in Fig. 1B (disclosed in the original Sequence Listing as SEQ ID NO:s 4-8) into 2 (two) contiguous sequences (SEQ ID NO:s 1-2) in the substitute Sequence Listing filed 12/11/03. However, an examination of the sequences depicted in Fig. 1B indicates that the sequences of g1ZD-GFP are three separate sequences, not a single contiguous sequence and the three sequences of g1ZD-hygro are three separate sequences, not a single contiguous sequence. For example, in g1ZD-GFP, it appears that the sequence encoding GFP is incomplete and the sequence depicts only the 5' and 3' terminal regions of the gene separated by "...". Indeed, the use of "..." after each portion of the sequences depicted in Fig. 1B implies that intervening sequences are missing and that the sequences are not contiguous. It appears that the original Sequence Listing disclosing these sequences as separate sequences is correct and the substitute Sequence Listing is incorrect. A new complete Sequence Listing is required. (See attached Notice to Comply with Sequence Rules). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 1636

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo, Ph.D., whose telephone number is (571) 272-0767. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Irem Yucel, Ph.D., can be reached on (571) 272-0781. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David Guzo
February 19, 2004


DAVID GUZO
PRIMARY EXAMINER